

Docket No. 60578-0186

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

MAGNUSON

Serial No.: 10/028,371

Filed: December 28, 2001

For: Bracket for Mounting Either a
Fixed or Pivoting Armrest

Art Unit: 3636

148.51

PETITION TO WITHDRAW HOLDING OF ABANDONMENT UNDER RULE 1.181

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant has received a Notice of Abandonment (copy enclosed) for failing to respond to the Notice to File Missing Parts dated February 1, 2002. Applicant petitions for a withdrawal of the holding of abandonment because a timely response was filed on April 10, 2002. A copy of the as-filed Response to Notice to File Missing Parts, Declaration and Power of Attorney and PTO date-stamped postcard receipt is enclosed.

Since Applicant did timely file a response to the Notice to File Missing Parts, the application is not abandoned, and there is no need to file a petition to revive or payment of the associated petition fee.

Serial No.: 10/028,371

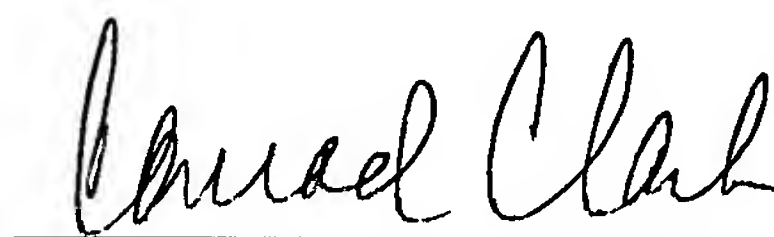
Applicant requests entry of the attached Response to Notice to File Missing Parts with Declaration and Power of Attorney and an expedited office action due to the delay in the prosecution of this application.

The undersigned hereby affirms that the Response to Notice to File Missing Parts that was dated April 10, 2002 was hand carried to the Patent and Trademark Office on April 10, 2002, and was thus timely filed.

Please charge any fee deficiency or credit any overpayment to Deposit Account No. 50-1088, including petition fees, extra claim fees and extensions of time.

Respectfully submitted,
CLARK & BRODY

By



Conrad J. Clark
Reg. No. 30,340

1750 K Street, NW, Suite 600
Washington, DC 20006
Telephone: 202-835-1111
Facsimile: 202-835-1755
Docket No.: 60578-0186
Date: December 4, 2003



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/028,371	12/28/2001	Richard Magnuson	60578-0186

Conrad J. Clark
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1750 K Street
Washington, DC 20006



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CONFIRMATION NO. 3354

ABANDONMENT/TERMINATION
LETTER



06000000011334741

Date Mailed: 11/24/2003

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 02/01/2002.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

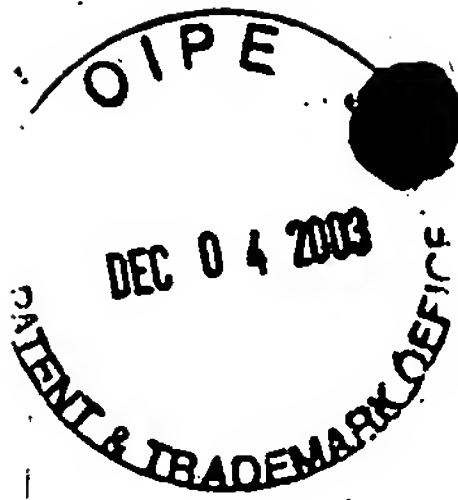
Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

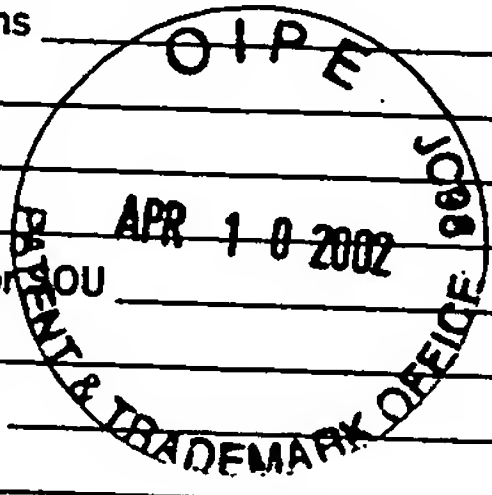
PART 2 - COPY TO BE RETURNED WITH RESPONSE



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PLEASE DATE STAMP & RETURN

Docket No. <u>60578-0186</u>	SN <u>10/028372</u>	Appln. Filing Dt <u>12/28/2001</u>
Patent No./Reg. No. _____	Grant Date _____	
Applicant <u>Magnuson</u>	Attorney <u>CAC</u>	
Ma. _____		
Patent Application _____	TM Application _____	
Pages of Specification _____	Drawings/Specimens _____	
Number of Claims _____	TM Assignment _____	
Sheets of Drawings _____	TM Response _____	
Assignment <u>u/Recordation Cover Sheet</u>	Statement of Use <u>APR 10 2002</u>	
Small Entity Claimed _____	Extension of Time for SOU _____	
Declaration/POA <u>Executed</u>	Section 8 or 8&15 _____	
IDS _____	Notice of Opposition _____	
Preliminary Amendment _____	Renewal _____	
Claim of Priority / Priority Doc. _____	Other <u>Response To Notice To</u>	
Amendment/Response _____	<u>File Missing Parts of</u>	
Extension of Time _____	<u>Application</u>	
Issue Fee _____		
Maintenance Fee _____		
Prepared By <u>mlh</u>	Today's Date <u>4/10/2002</u>	
Check for \$ <u>130.00 + 110.00 + 40.00</u>	Check No. <u>Dep. Acct.</u>	
Due Date <u>5/1/02</u>		



BEST AVAILABLE COPY